



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/751,993	12/29/2000	Christopher J. Kemp	INTL-0499-US (P10386)	7701
	7590	11/13/2003	EXAMINER	
Timothy N. Trop TROP, PRUNER & HU, P.C. STE 100 8554 KATY FWY HOUSTON, TX 77024-1805			RIOS CUEVAS, ROBERTO JOSE	
			ART UNIT	PAPER NUMBER
			2836	

DATE MAILED: 11/13/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action	Application No. 09/751,993	Applicant(s) KEMP ET AL	
	Examiner Roberto J Rios	Art Unit 2836	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 20 October 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____.

3. ☒ Applicant's reply has overcome the following rejection(s): See Continuation Sheet.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☐ The a) ☐ affidavit, b) ☐ exhibit, or c) ☐ request for reconsideration has been considered but does NOT place the application in condition for allowance because: _____.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

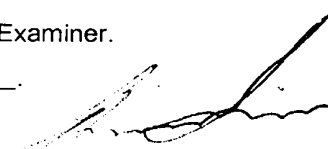
Claim(s) allowed: 4,8,9,11-13,16-18,21 and 22.

Claim(s) objected to: 7.

Claim(s) rejected: 1-3,5,6,10,19,20 and 23-30.

Claim(s) withdrawn from consideration: _____.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☒ Other: See Continuation Sheet


 BRIAN SIROUS
 SUPERVISORY PATENT EXAMINER
 TECHNOLOGY CENTER 2200

Continuation of 3. Applicant's reply has overcome the following rejection(s): 35 U.S.C. 102 and 103 rejections to claims 4, 8, 9, 11-16, 16, 18, 21 and 22..

Continuation of 10. Other: Applicant's arguments regarding claims 4, 8, 21 and 22 are persuasive. However, applicant argues that Swartz does not disclose an input block to apply an input signal to a common input terminal of a sensing block. Applicant's Figure 2 shows sensing block (220) receiving at common input terminal (222) a voltage V_{ref2} defined in the specification as being the supply voltage, for example, 5 volts. Swartz discloses a positive operating voltage (same voltage needed to power the one shot MV IC) being supplied at a common node or terminal which is electrically coupled to the sensing block comprised of capacitors (2) and (5). Applicant also argues that Swartz does not disclose a converting block that integrates a signal and provides first and second output signals and that neither of Swartz integrator is a converting block to integrate a single sensed signal and provide two output signals therefrom. Applicant's Figure 2 shows an integrator unit (237) receiving at inputs (238) and (241), 2 signals sensed by capacitors CA and CB respectively, wherein said integrator unit provides 2 signals at outputs (246) and (248), respectively to be compared. Swartz discloses an integrator unit receiving two signals from a sensing block comprised of capacitors (2) and (5), wherein said integrator unit provides 2 output signals to be compared. In response to applicant's argument that there is no motivation to combine Swartz and Kemp, the test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of the primary reference; nor is it that the claimed invention must be expressly suggested in any one or all of the references. Rather, the test is what the combined teachings of the references would have suggested to those of ordinary skill in the art. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981).